

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Docket No. 1:04-CR-10194-RCL

UNITED STATES

v.

FRANCIS A. MUOLO, Anthony
Bucci and David Jordan,
Defendants.

MOTION FOR AMENDMENT TO CONDITIONS OF
RELEASE ON ELECTRONIC MONITORING

NOW COMES defendant, FRANCIS A. MUOLO, and moves to amend the conditions of his release pursuant to 18 USC §3142 (b) (3)¹ on electronic monitoring to allow work during regular business hours at his family's local sporting goods store. The name of the store is "Stoneham Sports Center", Seven Central Street, Stoneham, MA, a seven-minute walk from Mr. Muolo's monitored home at 33 Cottage Street in Stoneham. The defendant's uncles and father own the store and the uncles operate it. None of the owners have a criminal record: Francis L. Moulo, defendant's father and bail custodian, b. August 16, 1943 , William J. Muolo, b. March 16, 1946 (letter attached), Michael A. Muolo, b. May 1, 1958. The store sells wares for baseball, football, soccer, basketball, hockey and figure skating but no firearms, hunting supplies or dangerous weapons. The store's hours are 8:30 AM to 5:30 PM, Monday through Saturday. Mr. Muolo has honored all the terms of his release. Counsel has verified all this information today in a conversation with defendant's bail custodian and father, Francis L. Muolo, and believes it to be true.

¹ "The judicial officer may at any time amend the order to impose additional or different conditions of release."

The requested terms of amendment to the conditions of pre-trial release are as follows: Defendant may work at the Stoneham Sports Center and travel directly to and from 33 Cottage Street and Seven Central Street between the hours of 8:00 AM and 6:00 PM by the most direct route practicable when leaving home for work and returning home. While at work, Defendant may not leave the business premises except to return home. To the extent not modified by the specific terms set forth in this motion, all prior orders concerning Mr. Muolo's release remain unchanged in full force and effect.

Counsel has contacted Pre-Trial Services concerning this motion and there is no opposition. The United States *not* given its assent to this motion.

Dated this 17th day of February, 2005 at Boston, Massachusetts.

s// Kevin L. Barron

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Motion Allowed/Denied:
SO ORDERED.

US MAGISTRATE JUDGE
Dated:

ELECTRONIC FILING